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December 5, 2019

VIA ECF

Hon. Jesse M. Furman, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, New York

**JOINT LETTER MOTION FOR ADJOURNMENT OF
INITIAL PRETRIAL CONFERENCE**

Re: *Philadelphia Indemnity Insurance Company v. Deogene Meza, et al.*
Case No. 1:19-cv-08658-JMF

Dear Judge Furman:

Our firm represents Plaintiff Philadelphia Indemnity Insurance Company in this litigation. Under Rule 1.E. of Your Honor's Individual Rules and Practices in Civil Cases, we write jointly with counsel for Defendant Eric Rosenthal to respectfully request that the Initial Pretrial Conference, currently set for Thursday, December 12, 2019 at 2:45 p.m., be adjourned until January 31, 2020. This is the parties' first request for an adjournment of the Initial Pretrial Conference.

While all Defendants were either served with the Complaint and the Notice of Initial Pretrial Conference or attempts at service have otherwise been made, only one Defendant, Mr. Rosenthal, so far has appeared. Mr. Rosenthal's counsel separately is requesting from this Court (on consent of Plaintiff) an extension of Mr. Rosenthal's answer date to January 10, 2020. In addition, Plaintiff recently filed a First Amended Complaint and is now in the process of serving that pleading.

In light of the ongoing efforts to get all Defendants served with the latest pleading and the impending potential extension of the (so far) only appearing Defendant's responsive date, the parties respectfully submit good cause exists to adjourn the Initial Pretrial Conference until January 31, 2020, which is 21 days after Mr. Rosenthal's answer date.

Hon. Jesse M. Furman, U.S.D.J.

LETTER MOTION FOR ADJOURNMENT OF INITIAL PTC

Re: *Philadelphia Indem. Ins .Co. v. Meza, et al.*

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We appreciate the Court's consideration of this request.

/s/ Patrick M. Kennell

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/s/ Richard E. Freeman, III

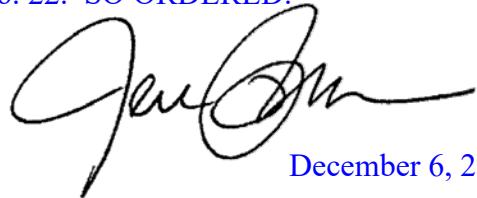
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The parties' application is GRANTED. The initial conference is ADJOURNED to **February 13, 2020**, at **2:45 p.m.**, and Defendant Rosenthal's deadline to answer, move to dismiss, or otherwise respond to the First Amended Complaint is EXTENDED to **January 10, 2020**. The parties are reminded to submit a joint letter and proposed Civil Case Management Plan by Thursday of the week before the conference, pursuant to the Court's Order at ECF No. 3. Finally, Plaintiff is granted leave to amend the complaint pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure. The Clerk of Court is directed to terminate ECF No. 22. SO ORDERED.



December 6, 2019